

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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CENTRAL FAX CENTER

Applicant: M. Rigdon Lentz

Serial No: 09/699,003

Art Unit: 3762

Filed: October 26, 2000

Examiner: Patricia Bianco

For: *Method and Compositions for Treatment of Cancers*Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

OCT 04 2004

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE
PATENTING REJECTION OVER TWO ISSUED PATENTS
AND A PENDING SECOND APPLICATION**

Sir:

Petitioner, Biopheresis Technologies, LLC, is the owner of the entire interest in the above-identified application; U.S. Patent No. 6,620,382, issued on September 16, 2003; U.S. Patent No. 6,231,536, issued on May 15, 2001; and U.S.S.N. 09/709,045, as evidenced by the accompanying Statements Under 37 C.F.R. § 3.73(b). Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154-156 and 173 as shortened by any terminal disclaimer filed prior to the grant of U.S. Patent No. 6,620,382, U.S. Patent No. 6,231,536, and U.S.S.N. 09/709,045. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and U.S. Patent No. 6,620,382, U.S. Patent No. 6,231,536, and U.S.S.N. 09/709,045 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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